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10/718,869	11/20/2003	Becna Somaroo	694231/0119	1478

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EXAMINER

TIMBLIN, ROBERT M

ART UNIT PAPER NUMBER

2167

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/718,869	<b>Applicant(s)</b> SOMAROO ET AL.	
	<b>Examiner</b> Robert M. Timblin	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/20/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

This office action corresponds to application 10/718,869 filed 11/20/2003.

Claims 1-15 have been examined and are pending prosecution in this application.

### *Claim Objections*

Claims 12 and 13, lines 9 and 8 respectively are objected to because of the following informalities: the phrase "the inquiry *date*" has lack of antecedent basis. Examiner interprets this phrase as inquiry *data*. Appropriate correction is required.

Claim 14 is objected to because the phrase "the *serving* system..." on line 9 lacks antecedent basis. This phrase is instead interpreted as the *server* system.

### *Drawings*

Figures 2-4, and 6-8 are objected to for the following reasons:

As to figures 2-3: drawing reference 38 (WAN) could not be found as described on page 10, 00036.

As to figure 4: drawing reference 22a could not be found in the specification.

As to figure 6, drawing reference 606e could not be found as described on page 16, 00054.

As to figure 7: drawing references 500 and 510 could not be found in the specification.

As to figure 8: drawing reference 620 could not be found in the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7, 11-12, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook (U.S. Patent Application 2002/0059095). Cook discloses the following limitations in figures 1-3 and following paragraphs:

With respect to claim 1, A method of tracking a user's interaction with a listing service 0010, 0042, the method comprising:

receiving inquiry data 68, 70, 72, 74, 76, 78, 80 related to an initial inquiry of the user with the listing service as a customer needs/feedback form 18 (figure 2, 0012, col. 1 of page 2);

creating a lead record 32 using the received inquiry data 68, 70, 72, 74, 76, 78, 80 as lead profile record (0012, line 1-5 of col. 2, page 2);

storing the lead record 32 in a database (abstract, 44);

creating an action record 112, 118, 122 associated with the lead record 32 each time data related to an action to be taken in furtherance of the initial inquiry is received (figure 2, 0012, line 45-55 of col. 2 page 2);

storing the action record 112, 118, 122 in the database 44;

populating an interface 14 (and 0012, page 3, col. 1 line 1-10) accessible by the user (customer) with information stored in the lead 32 and action records 112, 118, 122, and with information related to the initial inquiry received from one or more ancillary services (0011, 0012 page 3, figure 2, drawing reference 118).

With respect to claim 7, the ancillary service is electronic mail (0006).

With respect to claim 11, the method of claim 1, receiving inquiry data from an application operative on a computing device of the user (abstract, figure 1).

With respect to claim 12, wherein the steps of receiving inquiry data 68, 70, 72, 74, 76, 78, 80 related to an initial inquiry of the user with the listing service and creating a lead record 32 using the received inquiry data further comprise:

receiving inquiry data 68, 70, 72, 74, 76, 78, 80 from a user computer 12, 14 at the listing service (abstract, figure 1);

capturing the inquiry data at the listing service 34, 32 (figure 1);

making a remote procedure call 22 to access an application programming interface from a listing service to a tracking system (tracking buyer leads 0010) operative with programming to generate a lead record 32 (figure 1, 0010, 0012);

transmitting the inquiry data to the tracking system (figure 1) from the listing service; and creating a lead record using the received inquiry data (abstract, 0012 and figure 1).

With respect to claim 13, A method of tracking a user's interaction with a listing service, the method comprising:

receiving inquiry data 68, 70, 72, 74, 76, 78, 80 from a user computer at a listing service 34, 32 as a customer needs/feedback form (figure 2, 0012, col. 1 of page 2);

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capturing the inquiry data 68, 70, 72, 74, 76, 78, 80 at the listing service (figure 1, 32, 0012);

making a remote procedure call 22 to access an application programming interface from a listing service to a tracking system (figure 1) operative with programming to generate a lead record 32 (0012 col. 2 page 2, lines 25-35);

transmitting the inquiry data to the tracking system from (figure 1) the listing service (abstract, 0012 and figure 1);

creating a lead record 32 using the received inquiry data; storing the lead record 32 in a database (32, 0012);

creating an action record associated with the lead record 32 each time data related to an action to be taken in furtherance of the initial inquiry is received (figure 2, 0012);

storing the action record 112, 118, 122 in the database 44;

populating an interface accessible by the user 14 with information stored in the lead 32 and action records 112, 118, 122, and with information related to the initial inquiry received from one or more ancillary services (0011, 0012 page 3, figure 2, drawing reference 118).

With respect to claim 14, A system for tracking a user's interaction with one or more listing services (abstract 0010, 0042), the system comprising:

a server system (server, 0045) accessible via one or more networks by one or more computing devices of a user and capable of communicating with the listing services via one or more of the networks 0027;

a database system 44 in communication with the server system (server, 0045);

wherein the server system (server, 0045) includes programming to receive lead data from the listing services, generate a lead record 32, and store the lead record 32 in the database system (fig. 1, 0027);

wherein the serving system further includes programming to generate a user interface accessible to the user that displays a summary of the user's stored lead records (0013, page 3, col. 1 line 45-55);

wherein the server system (server, 0045) further includes programming to interact with at least one ancillary service system and provide information generated or received into the ancillary service system to the user (0011, 0012 page 3, figure 2, drawing reference 118);

wherein the server system (server, 0045) further includes programming to receive action data, generate an action record 112, 118, 122, store the action record in the database system 44, and provide information about the action record to the user (figures 1-2, 0012).

With respect to claim 15, A tracking system application for tracking a user's interactions with a listing service (figure 1, 0010, page 2, col. 1 line 1-11), the application comprising:



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a client-side component operative on a user computer capable of monitoring a user's interaction with the listing service 16, 18 so as to capture inquiry data and electronically communicate the inquiry data via a network (figure 1);

a server-side component operative on a server system (server, 0045) capable of communication with the network, the server-side component (fig. 1, 0045, page 6, col. 2 line 16-25) including programming to:

generate a user interface 14 accessible to the user that displays a summary of the user's stored lead records (0013);

interact with at least one ancillary service system and provide information generated or received into the ancillary service system to the user (0011, 0012 page 3, figure 2, drawing reference 118);

and receive action data, generate an action record, store the action record 112, 118, 122 in the database system 44, and provide information about the action record to the user (figure 2, 0012);

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2-5, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook as applied to claims 1, 7, 11-12, and 13-15 above in view of Rinebold et al ('Rinebold' hereinafter) (U.S. Patent 6,968,513).

With respect to claim 2, Cook fails to expressly disclose a website having job postings listed thereon.

Rinebold, however teaches this limitation (abstract, figure 10A-C) to enable on-line shoppers to view the business listings (col. 4, line1-5).

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Rinebold's system would have given Cook's system an interactive website for displaying advertising, business listings and referring users such as shoppers to web sites of listed merchants (col. 3 line 54-60).

Similar claims 3-5 are rejected for the same rational, as the web page of 10A is a site having real estate postings, personal ads, and automobile postings. See also the abstract.

With respect to claim 8, the ancillary service is an advertising system

Rinebold, however discloses this limitation (col. 6 line 63-67) as an extended service.

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Rinebold's system would have given Cook's system an interactive website for displaying advertising, business listings and referring users such as shoppers to web sites of listed merchants (col. 3 line 54-60). Furthermore, the extended services of Rinebold would have given Cook's system interactive capability (col. 6 line 30-35).

With respect to claim 10, Rinebold discloses the ancillary service is a news system (col. 6 line 29-45) as an extended service.

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Rinebold's system would have given Cook's system an interactive website for displaying advertising, business listings and referring users such as shoppers to web sites of listed merchants (col. 3 line 54-60). Furthermore, the extended services of Rinebold would have given Cook's system interactive capability (col. 6 line 30-35).

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook as applied to claims 1, 7, 11-12, and 13-15 above in view of Wilkins et al ('Wilkins' hereinafter) (U.S. Patent 6,868,389).

With respect to claim 6, Cook fails to expressly disclose the listing service is a web site having auction items listed thereon.

Wilkins, however, discloses this limitation as auction boards (col. 3 lines 40-45) for identifying purchase indicators.

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Wilkins' system would have given Cook's system a cost-effective method for generating large numbers of intender leads (col. 2 lines 55-67).

With respect to claim 9, Cook fails to disclose the ancillary service is a road navigation system (col. 10 lines 56-60).

Wilkins, however, discloses this limitation (col. 10 line 56-65) for identifying listings of homes for sale by including a street address of the property for sale.

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the teachings of Wilkins' would have provided Cook's system with a cost-effective method for generating intender leads (col. 2 lines 55-67).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2002/0107776

2002/0026356

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leslie Wong


Primary Examiner

RMT  
8/25/2006

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